

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL SCOTT FROST,

Defendant.

CR 11-21-BU-DLC

ORDER

Before the Court is Defendant Daniel Scott Frost's Unopposed Motion to Amend Judgment. (Doc. 91.) The motion states that, contrary to the Court's intent in sentencing Mr. Frost to five months of imprisonment on April 10, 2023, which was intended to credit Mr. Frost for four months and a day for time served from December 9, 2022 to April 10, 2023, resulting in a release date of May 9, 2023, the Bureau of Prisons has provided credit only for time served in federal custody, which began on March 22, 2023. (*Id.* at 1-3.) Accordingly, Mr. Frost requests that the Court amend the judgment entered on April 10, 2023 to reflect the Court's stated intent for Mr. Frost to be released after serving an additional one month minus one day by imposing a 49-day custodial sentence. (*Id.* at 3.) The United States does not oppose the motion. (*Id.*)

The motion accurately describes the Court's intent to have Mr. Frost serve an additional month of imprisonment, less one day, and the Court thus imposed a

five-month sentence to account for Mr. Frost's time served. However, according to the motion, BOP is providing Mr. Frost with credit for only 20 days of time served. The Court will modify the judgment as Mr. Frost requests to clarify its intent to have him be released on May 9, 2023.

Accordingly, IT IS ORDERED that the motion (Doc. 91) is GRANTED. The judgment entered April 10, 2023 shall be superseded by an amended judgment to be filed concurrently herewith.

DATED this 17th day of April, 2023.



Dana L. Christensen, District Judge
United States District Court